

FILED  
AT ALBUQUERQUE NM  
AUG 27 1999

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

CURTIS LEE WATSON

Petitioner,

v.

DONALD DORSEY - WARDEN,  
UNITED STATES OF AMERICA,

Respondents.

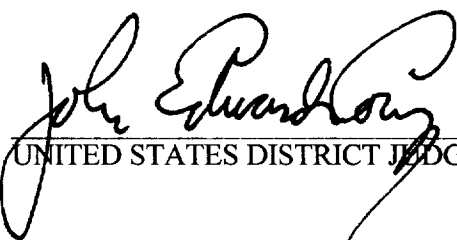
ROBERT M. MARCH  
CLERK

No. CIV-99-0904 JC/LCS

MEMORANDUM OPINION AND ORDER FOR TRANSFER

This matter is before the Court *sua sponte* for preliminary consideration of Petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2241. Petitioner is confined pursuant to a criminal conviction entered by the District of Columbia Superior Court and is currently incarcerated in New Mexico. He has previously filed a habeas corpus petition in the United States District Court for the District of Columbia. The Court of Appeals for the District of Columbia Circuit affirmed the dismissal of that petition for the reason that the district court did not have subject matter jurisdiction. A petition for writ of habeas corpus under 28 U.S.C. §§ 2254 and 2255 was later filed in this Court. *Watson v. Dorsey*, No. CIV-99-0581 LH/LCS. The instant petition under § 2241 contends that District of Columbia Code § 23-110, which is the exclusive post-conviction remedy available to Petitioner, is an inadequate and ineffective remedy. As a result, his continued incarceration violates the Equal Protection Clause. Whatever the merits of Petitioner's assertions, the United States District Court for the District of Columbia would provide the more convenient forum for adjudicating Petitioner's claims. *Braden v. 30th Judicial Circuit Court*, 410 U.S. 484, 499 n.15 (1973); and see *Dunn v. United States Parole Comm'n*, 818 F.2d 742, 744 (10th Cir. 1987) ("only in the most formal sense does [Respondent Dorsey] control whether [Petitioner] is released"). This proceeding will be transferred to the United States District Court for the District of Columbia.

IT IS THEREFORE ORDERED that the Clerk is directed to transfer this case to the United States District Court for the District of Columbia.

  
UNITED STATES DISTRICT JUDGE

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